

**BEFORE THE IDAHO STATE LICENSING BOARD OF PROFESSIONAL
COUNSELORS AND MARRIAGE AND FAMILY THERAPISTS**

ORIGINAL

In the Matter of the License of:)	Case No. COU-L3-03-02-005
)	
JOEL RANDELL KEHOE,)	FINDINGS OF FACT,
License No. LPC-544,)	CONCLUSIONS OF LAW,
)	AND FINAL ORDER
Respondent.)	
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Cnslr\Kehoe\P2004\wb

Having reviewed the documents and correspondence contained in the administrative file in this matter, the Idaho State Licensing Board of Professional Counselors and Marriage and Family Therapists (the "Board") hereby enters the following Findings of Fact, Conclusions of Law, and Final Order:

FINDINGS OF FACT

1. Respondent Joel Randell Kehoe ("Respondent") is a duly licensed professional counselor in the State of Idaho holding License No. LPC-544.

2. On or about December 11, 2001, the Board received a letter from Respondent wherein Respondent stated that he was in treatment for sexual addiction and that he had violated the rights of two clients since obtaining his license in October 1994. Respondent also voluntarily surrendered his licensed professional counselor license. A true and correct copy of the letter sent to the Board by Respondent is attached hereto as Exhibit 1.

3. On or about January 31, 2002, Respondent admitted to violations of the Professional Counselors for Independent Practice Act, title 54, chapter 34, Idaho Code, and signed a Voluntary Surrender of Licensure. A true and correct copy of the voluntary surrender form signed by Respondent is attached hereto as Exhibit 2.

4. Respondent knowingly and freely waived his right to a hearing, and waived all rights granted to Respondent pursuant to the Administrative Procedures Act, chapter 52, title 67, Idaho Code.

CONCLUSIONS OF LAW

1. As a licensed professional counselor in the State of Idaho, Respondent is subject to the jurisdiction of the Board and to the provisions of title 54, chapter 34, Idaho Code, and the rules and regulations promulgated by the Board thereunder.

2. The allegations in Respondent's letter, if proven, would constitute violations of the Professional Counselors for Independent Practice Act and Board rules promulgated thereunder and constitute grounds for revocation or suspension of Respondent's license to practice professional counseling pursuant to Idaho Code § 54-3407.

3. Respondent's voluntary surrender of licensure authorizes the Board to revoke or suspend Respondent's license without further process pursuant to Idaho Code § 54-3407.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, based upon the foregoing Findings of Fact and Conclusions of Law, and good cause being shown, that Licensed Professional Counselor License No. LPC-544 issued to Respondent Joel Randell Kehoe is hereby REVOKED for five (5) years from the date of this Order based upon voluntary surrender, and is subject to subsequent review pursuant to Idaho Code § 54-3407.

It is further ordered that, should Respondent request reinstatement of licensure in the future, that he present the following information to the Board with his application for reinstatement:

1. Respondent shall provide the Board a full written disclosure of the details surrounding the violation of any client rights addressed in the Voluntary Surrender.

2. Respondent shall satisfactorily complete of a minimum of fifteen (15) semester hours (or the equivalent quarter hours) of graduate-level coursework covering the following subject matters:

- a. Ethics and boundaries between the counselor and clients; and
- b. Interpersonal relationships in counseling, transference, the dynamics between client and counselor, and issues of power and influence that the counselor inherently has over clients.

3. Respondent must receive prior approval by the Board as to both the institution and coursework for which he is seeking credit. After completion of the coursework, Respondent will provide certified transcripts to the Board.

4. Respondent must present to the Board a thorough assessment prepared by a licensed mental health care provider discussing Respondent's course of treatment for sexual addiction, Respondent's prognosis, and an opinion as to whether Respondent is able to function independently and/or safely as a professional counselor in public or private practice.

5. Respondent shall execute a release of information allowing the Board to obtain access to any information it deems relevant to adequately assess Respondent's request for reinstatement.

6. Upon a showing of satisfactory completion of the requirements of paragraphs (1) through (4) above, Respondent's license may be reinstated by the Board on a probationary basis. In addition to any other terms of probation established by the Board, Respondent must begin and satisfactorily complete a two (2) year program of supervision as a counseling intern. Both the supervisor and the site of the supervised practice must receive preapproval by the Board. Successful completion of this 2-year program of supervised practice will be a prerequisite to reinstatement of Respondent's license without restriction.

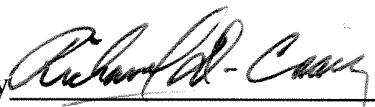
7. As part of its discretionary authority in Respondent's reinstatement process, the Board may take into consideration any criminal judgments of conviction entered against Respondent after the date of Respondent's execution of the Voluntary Surrender of Licensure, including any withheld judgments and/or terms of probation.

8. The Board reserves the right to assess investigative costs and attorney's fees incurred in this matter as a condition of reinstatement.

This order is effective immediately.

DATED this 19 day of FEB., 2002.

IDAHO STATE LICENSING BOARD OF
PROFESSIONAL COUNSELORS AND
MARRIAGE AND FAMILY THERAPISTS

By 
Richard D. Craig, Chair

NOTICE OF DUE PROCESS RIGHTS

NOTE: THIS NOTICE IS PROVIDED SOLEY FOR COMPLIANCE WITH IDAHO CODE § 67-5248, AND IS NOT INTENDED TO REINSTATE ANY RIGHTS PREVIOUSLY WAIVED BY RESPONDENT.

This is a final order of the Board. Any party may file a motion for reconsideration of this final order within fourteen (14) days of the service date of this order. The Board will dispose of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Idaho Code § 67-5246(4).

Pursuant to Idaho Code §§ 67-5270 and 67-5272, any party aggrieved by this final order or orders previously issued in this case may appeal this final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- a. A hearing was held,
- b. The final Board action was taken,
- c. The party seeking review of the order, resides, or

- d. The real property or personal property that was the subject of the Board action is located.

An appeal must be filed within twenty-eight (28) days (a) of the service date of this final order, (b) of an order denying petition for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. See Idaho Code § 67-5273. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

CERTIFICATE OF SERVICE

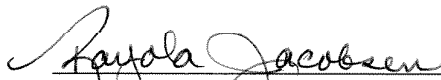
I HEREBY CERTIFY that on this 25th day of February 2002, I caused to be served a true and correct copy of the foregoing FINDINGS OF FACT, CONCLUSIONS OF LAW, AND FINAL ORDER addressed as follows:

Joel Randell Kehoe
Monastery of the Ascension
541 East 100 South
Jerome, ID 83338

☒ U.S. Mail, postage prepaid
☒ Certified U.S. Mail, return receipt
☐ Hand Delivery
☐ Overnight Mail
☐ Facsimile: _____
☐ Statehouse Mail

Kirsten L. Wallace
Deputy Attorney General
Civil Litigation Division
P.O. Box 83720
Boise, ID 83720-0010

☐ U.S. Mail, postage prepaid
☐ Certified U.S. Mail, return receipt
☐ Hand Delivery
☐ Overnight Mail
☐ Facsimile: _____
☒ Statehouse Mail



Rayola Jacobsen, Chief
Bureau of Occupational Licenses

Joel Kehoe, OSB, MA
Licensed Professional Counselor #544

Monastery of the Ascension 541 East 100 South Jerome, ID 83338-5655 (208) 324-2377

7 December 2001

RECEIVED
DEC 11 2001
OCCUPATIONAL LICENSES

Dr. Richard Craig, Ed.D
Counselor Licensing Board
Bureau of Occupational Licenses
Owyhee Plaza, Suite 220
1109 Main St.
Boise, ID 83702-5642

Dear Dr. Craig,

My name is Father Joel Kehoe. I am a Benedictine monk and priest at the Monastery of the Ascension where I have been in private practice since I returned from graduate school in the Fall of 1992. I obtained my license in October 1994, and have been practicing at the monastery since then.

I am presently in treatment for sexual addiction and have come to recognize that as a result of this addiction I have violated the rights of two clients since obtaining my license. Because of these violations and in response to my own recovery I can no longer practice as a professional counselor. I voluntarily submit my license and ask that you remove my name from the list of professional counselors. If there is anything else that I need to do in this regard or if you need more information, please let me know. Thank you.

Sincerely,

Joel R. Kehoe, O.S.B.

(Rev.) Joel R. Kehoe, O.S.B., M.A.

Exhibit 1
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VOLUNTARY SURRENDER OF LICENSURE

I, JOEL RANDELL KEHOE, hereby voluntarily surrender my license to practice as a licensed professional counselor in the State of Idaho. I agree and consent that the surrender of my license to practice as a licensed professional counselor is done without an order, order to show cause, hearing, or any other proceeding compelling its surrender. In view of my alleged failure to comply with the Professional Counselors for Independent Practice Act, title 54, chapter 34, Idaho Code, and the rules promulgated by the Idaho State Licensing Board of Professional Counselors and Marriage and Family Therapists ("Board"), and as an indication of my good faith in desiring to remedy any incorrect or unlawful practices on my part, I voluntarily surrender my license to practice professional counseling.

I understand that I have the right to a hearing, the right to confront and cross-examine witnesses, the right to present evidence and testimony on my behalf, the right to appeal and all other rights accorded to me by the Idaho Administrative Procedures Act, title 67, chapter 52, Idaho Code, and the laws and rules governing the practice of licensed professional counseling, title 54, chapter 34, Idaho Code. I hereby freely and knowingly waive these rights without further process as a resolution of any claims or allegations which might otherwise be brought against me by the Board.

I acknowledge that in surrendering my license to practice professional counseling, I am not making any admissions; however, I specifically waive the right to contest this relinquishment in any subsequent proceeding. I acknowledge that the Board has jurisdiction to proceed against my license pursuant to Idaho Code § 54-3407. I understand that, pursuant to Idaho Code § 54-3407, the Board will enter an order either revoking or suspending my license to practice professional counseling based upon my voluntary surrender of my license.

I understand and acknowledge that by surrendering my license to practice professional counseling all of the privileges associated with it are hereby surrendered, until such time as I am again properly licensed.

I understand that to regain a license to practice professional counseling in the State of Idaho, I must re-apply to the Board pursuant to the provisions of title 54, chapter 34, Idaho Code, and all applicable rules and orders entered by the Board.

I waive refund of any payments made by me in connection with my license under the Idaho Professional Counselors for Independent Practice Act and any rules promulgated thereunder.

Name of Licensee: Joel Randell Kehoe License No.: LPC-544

Address of Licensee: 541 ^{East} ~~South~~ 100 South, Jerome 88338-5655
street city zip

Signature of Licensee or Authorized Individual: Joel Randell Kehoe

Date: 31 January 2002

Signature of Witness: Anne Marie Lavoie MSW Date: 1-31-02
Lavoie-C

Exhibit 2
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